App. F. IX-4

1940

193 .

Previous References ( )

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Later References.

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2-40 (76)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. are enq

Part B for December 1940

SUBJECT.

Cargoes and claims (information) Order 1940

3483

CARGOES AND CLAIMS (INFORMATION) ORDER, 1940.

General and Revenue Secretariat	File No.	of 194	[App. F. III-2

Serial No.

Extract from C.B. file diary No.1709/C.B. re. cargoes on foreign ships in neutral ports.

" If approved, the file will be sent to the legislative section for issuing a similar order under the Defence of India Rules, as applied to Mysore."

"Yes."

Id/ C.G.R.
6/12

Protn.Br.)

Id/ M.K.V.
6/12.

The Cargoes and Claims (Information) Order, 1940, is one made under rule 81 (2) of the Defence of India Rules Draft of an Order made under the same rule of the Defence of India Rules, as applied to Mysore, is put up and will be issued if approved. The information is made returnable to the Secretary to the Govt, of India, Dept. of Commerce, New Delhi as more convenient and as suggested by the Residency in their letter sending copies of

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules as applied to Mysore, the Government of His Highness the Maharaja are pleased to make the following Order, namely:-

1. This Order may be called the Cargoes and Claims (Information) Order, 1940.

In this Order,--

(a) The expression "enemy" has the same meaning as in Part XV of the Defence of India Rules, as applied to Mysore.

(b) The expression "ship to which this order relates" means a ship owned ~~or~~ or controlled by any person who is an enemy.

3. Any person who at the date of this Order carries on any undertaking by way of any trade or business and --

such cargo, stating to whom such payment were made;

(iv) the port of loading and the port of destination of any such cargo; and

(v) the nature and extent of the cause of action that is claimed to exist in respect of any such cargo or otherwise against any ship to which this Order relates, or against the owner, charterer or master thereof.

By Order,

Secy. to Govt.,
Law Department.

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette.

memo no P 3043 & 12.12.40

Copy forwarded with Compliments to the secretary Chamber of Commerce to enable him to advise firms in Mysore who are interested

Letter No. F.125/40, dated 5th December 1940, from the Secretary to the Hon'ble the Resident in Mysore, to the Chief Secretary to Government.

Subject:- Cargoes on enemy ships lying in neutral ports - Cargoes and Claims (Information) Order, 1940.

In continuation of my letter No. F. 125-40/W, dated the 27th November 1940, I am directed to forward a copy of the notification by the Government of India, Department of Commerce, No. 135-M.I.W.(48)/40, dated the 23rd November 1940, The Hon'ble the Resident will be glad if the Government of Mysore will kindly issue a similar order under the Defence of India Rules as in force in the State enforcing the submission of the returns described therein to the Secretary to the Government of India, Department of Commerce, New Delhi within

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 125-40/W, dated Bangalore, the 3rd December 1940.

The following notification by the Government of India, Department of Commerce, No. 135-M.I.W. (48)/40, dated the 23rd November 1940, is republished for general information.

A. MACANN,
Secretary to the Resident.

DEPARTMENT OF COMMERCE.

NOTIFICATION.

MERCHANT SHIPPING (WAR).

New Delhi, the 23rd November 1940.

No. 135-M.I.W. (48)/40.—In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules. the Central Government is pleased to make the following Order, namely :—

1. This Order may be called the Cargoes and Claims (Information) Order, 1940.

2. In this Order,—

(a) The expression "enemy" has the same meaning as in Part XV of the Defence of India Rules ;

(b) The expression "ship to which this order relates" means a ship owned or controlled by any person who is an enemy.

3. Any person who at the date of this Order carries on any undertaking by way of any trade or business and—

(a) owns or has any legal or beneficial interest in any cargo lying in a ship to which this Order relates (other than a ship owned or controlled by a person who was an enemy prior to the 9th day of April 1940), or in any cargo which having been landed from such a ship, is in the possession or control of the owner, charterer or master of any such ship ; or

(b) has or claims to have any cause of action whether in respect of any such cargo or otherwise against any such ship or against the owner, charterer or master thereof,

shall within one month of that date send to the Secretary to the Government of India, Department of Commerce, New Delhi, three signed copies of a return in writing, specifying so far as is practicable the following particulars as at that date, that is to say,—

(i) the nature, quantity and value of any such cargo, stating where, and in what ship it is lying or, if not on board ship, where, and in whose possession or control it is ;

(ii) the nature of any document in his possession or control evidencing his ownership of or interest in any such cargo ;

(iii) the date and amount of any payments made by him in respect of freight charges on any such cargo, stating to whom such payments were made ;

(iv) the port of loading and the port of destination of any such cargo ; and

(v) the nature and extent of the cause of action that is claimed to exist in respect of any such cargo or otherwise against any ship to which this Order relates, or against the owner, charterer or master thereof.

H. C. PRIOR,
Additional Secretary to the Government of India.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 125-40/W, dated Bangalore, the 3rd December 1940.

The following notification by the Government of India, Department of Commerce, No. 135-M.I.W. (48)/40, dated the 23rd November 1940, is republished for general information.

A. MACANN,
Secretary to the Resident.

DEPARTMENT OF COMMERCE.

NOTIFICATION.

MERCHANT SHIPPING (WAR).

New Delhi, the 23rd November 1940.

No. 135-M.I.W. (48)/40.—In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the ~~Central~~ Government is pleased to make the following Order, namely:—

1. This Order may be called the Cargoes and Claims (Information) Order, 1940.

2. In this Order,—

(a) The expression "enemy" has the same meaning as in Part XV of the Defence of India Rules;

(b) The expression "ship to which this order relates" means a ship owned or controlled by any person who is an enemy.

3. Any person who at the date of this Order carries on any undertaking by way of any trade or business and—

(a) owns or has any legal or beneficial interest in any cargo lying in a ship to which this Order relates (other than a ship owned or controlled by a person who was an enemy prior to the 9th day of April 1940), or in any cargo which having been landed from such a ship, is in the possession or control of the owner, charterer or master of any such ship; or

(b) has or claims to have any cause of action whether in respect of any such cargo or otherwise against any such ship or against the owner, charterer or master thereof,

shall within one month of that date send to the Secretary to the Government of India, Department of Commerce, New Delhi, three signed copies of a return in writing, specifying so far as is practicable the following particulars as at that date, that is to say,—

(i) the nature, quantity and value of any such cargo, stating where, and in what ship it is lying or, if not on board ship, where, and in whose possession or control it is;

(ii) the nature of any document in his possession or control evidencing his ownership of or interest in any such cargo;

(iii) the date and amount of any payments made by him in respect of freight charges on any such cargo, stating to whom such payments were made;

(iv) the port of loading and the port of destination of any such cargo; and

(v) the nature and extent of the cause of action that is claimed to exist in respect of any such cargo or otherwise against any ship to which this Order relates, or against the owner, charterer or master thereof.

H. C. PRIOR,
Additional Secretary to the Government of India.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. P3047 Dated Bangalore, 12th Dec. 1940

Leg's C

NOTIFICATION.

In exercise of the powers conferred by sub rule (2) of rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to make the following Order, namely:-

1. This Order may be called the Cargoes and Claims (Information) Order, 1940.

2. In this Order:

(a) The expression "enemy" has the same meaning as in Part of the Defence of India Rules, as applied to Mysore.

(b) The expression "ship to which this order relates" means ship owned or controlled by any person who is an en.

3. Any person who at the date of this Order carries on any er aking by way of any trade or business and --

(a) Owns or has any legal or beneficial interest in a carg lying in a ship to which this Order relates (ot tha a ship owned or controlled by a person who was enem prior to the 9th day of April 1940), or in any rgo which having been landed from such a ship, is the possession or control of the owner, charterer maste of any such ship; or

(b) has or claims to have any cause of action wheth in res of any such cargo or otherwise against any s ship o against the owner, charterer or master the

hall within one month of that date send to the Secretary the Gove ent of India, Department of Commerce, New Delhi, three s d copies return in writing, specifying so far as is practicable follow in particulars as at that date, that is to say:-

(i) the nature, quantity and value of any such go, statin where, and in what ship it is lying or, not on boa ship, where, and in whose possession or ntrol it is

(ii) the nature of any document in his possess n or control evidencing his ownership of or interes n any such

(iii) the date and amount of any payments ma by him in re pect of freight charges on any such go, stating whom such payments were made;

(iv) the port of loading and the port of de nation of any

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. P3042 / Lys 2-40 Dated Bangalore, 22th Dec. 19

NOTIFICATION

In exercise of the powers conferred by sub rule (2) of rule 81 of the defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to make the following Order, namely:-

1. This Order may be called the Cargoes and Ships (Information) Order, 1940.

2. In this Order:-

(a) The expression "enemy" has the same meaning as in Rule 2 of the defence of India Rules, as applied to Mysore.

(b) The expression "ship to which this order relates" means a ship owned or controlled by any person who is an enemy.

3. Any person who at the date of this Order carries on any enemy trade or business and --

[illegible] nature and extent of the cause of action that is claimed to exist in respect of any such wrong or [illegible] and the claim to which this letter [illegible]

Yours [illegible]

M. K. Gandhi

Secretary to [illegible]
Law Department.